



House of Representatives

General Assembly

File No. 339

February Session, 2016

Substitute House Bill No. 5306

House of Representatives, March 31, 2016

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 17b-749 of the 2016 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective July 1, 2016*):

4 (b) The commissioner shall establish income standards for
5 applicants and recipients at a level to include a family with gross
6 income up to fifty per cent of the state-wide median income, except the
7 commissioner (1) may increase the income level to up to [seventy-five]
8 eighty-five per cent of the state-wide median income, (2) upon the
9 request of the Commissioner of Children and Families, may waive the
10 income standards for adoptive families so that children adopted on or
11 after October 1, 1999, from the Department of Children and Families
12 are eligible for the child care subsidy program, and (3) on and after
13 March 1, 2003, shall reduce the income eligibility level to up to fifty-

14 five per cent of the state-wide median income for applicants and
15 recipients who qualify based on their loss of eligibility for temporary
16 family assistance. The commissioner may adopt regulations in
17 accordance with chapter 54 to establish income criteria and durational
18 requirements for such waiver of income standards.

19 Sec. 2. (NEW) (*Effective from passage*) (a) The Commissioner of Early
20 Childhood shall require each applicant for employment with the Office
21 of Early Childhood in a position that requires access to records of the
22 Federal Bureau of Investigation or regular visits to child care centers,
23 group child care homes or family child care homes, as described in
24 section 19a-77 of the general statutes, as amended by this act, to (1)
25 state whether such applicant has ever been convicted of a crime or
26 whether criminal charges are pending against such applicant at the
27 time of application for employment, and (2) submit to state and
28 national criminal history records checks.

29 (b) The Commissioner of Early Childhood shall require each
30 applicant for employment with the Office of Early Childhood in a
31 position that requires regular visits to youth camps, resident camps or
32 day camps, as defined in section 19a-420 of the general statutes, as
33 amended by this act, to (1) state whether such applicant has ever been
34 convicted of a crime or whether criminal charges are pending against
35 such applicant at the time of application for employment, and (2)
36 submit to state and national criminal history records checks, except a
37 state and national criminal history records check shall not be required
38 for any such applicant who submitted to such criminal history records
39 checks in the year immediately preceding such application pursuant to
40 this subsection.

41 (c) The criminal history records checks required pursuant to this
42 section shall be conducted in accordance with section 29-17a of the
43 general statutes.

44 Sec. 3. Subdivision (1) of subsection (b) of section 19a-80 of the 2016
45 supplement to the general statutes is repealed and the following is
46 substituted in lieu thereof (*Effective October 1, 2016*):

47 (b) (1) Upon receipt of an application for a license, the commissioner
48 shall issue such license if, upon inspection and investigation, said
49 commissioner finds that the applicant, the facilities and the program
50 meet the health, educational and social needs of children likely to
51 attend the child care center or group child care home and comply with
52 requirements established by regulations adopted under this section
53 and sections 19a-77 to 19a-79a, inclusive, as amended by this act, and
54 sections 19a-82 to 19a-87a, inclusive. The commissioner shall offer an
55 expedited application review process for an application submitted by a
56 municipal agency or department. A currently licensed person or entity,
57 as described in subsection (a) of this section, seeking a change of
58 operator, ownership or location shall file a new license application,
59 except such person or entity may request the commissioner to waive
60 the requirement that a new license application be filed if such person
61 or entity submits such request prior to the change of operator,
62 ownership or location. The commissioner [shall have discretion to
63 determine whether a change of operator, ownership or location request
64 from a currently licensed person or entity, as described in subsection
65 (a) of this section, shall require the filing of a new license application
66 from such person or entity] may grant or deny such request. Each
67 license shall be for a term of four years, shall be nontransferable, and
68 may be renewed upon receipt by the commissioner of a renewal
69 application and accompanying licensure fee. The commissioner may
70 suspend or revoke such license after notice and an opportunity for a
71 hearing as provided in section 19a-84 for violation of the regulations
72 adopted under this section and sections 19a-77 to 19a-79a, inclusive, as
73 amended by this act, and sections 19a-82 to 19a-87a, inclusive. In the
74 case of an application for renewal of a license that has expired, the
75 commissioner may renew such expired license within thirty days of
76 the date of such expiration upon receipt of a renewal application and
77 accompanying licensure fee.

78 Sec. 4. Section 19a-77 of the 2016 supplement to the general statutes
79 is repealed and the following is substituted in lieu thereof (*Effective July*
80 *1, 2016*):

81 (a) As used in this section and sections 19a-77a to 19a-80, inclusive,
82 as amended by this act, and sections 19a-82 to 19a-87a, inclusive, "child
83 care services" includes:

84 (1) A "child care center" which offers or provides a program of
85 supplementary care to more than twelve related or unrelated children
86 outside their own homes on a regular basis;

87 (2) A "group child care home" which offers or provides a program of
88 supplementary care (A) to not less than seven or more than twelve
89 related or unrelated children on a regular basis, or (B) that meets the
90 definition of a family child care home except that it operates in a
91 facility other than a private family home;

92 (3) A "family child care home" which consists of a private family
93 home caring for not more than six children, including the provider's
94 own children not in school full time, where the children are cared for
95 not less than three or more than twelve hours during a twenty-four-
96 hour period and where care is given on a regularly recurring basis
97 except that care may be provided in excess of twelve hours but not
98 more than seventy-two consecutive hours to accommodate a need for
99 extended care or intermittent short-term overnight care. During the
100 regular school year, a maximum of three additional children who are
101 in school full time, including the provider's own children, shall be
102 permitted, except that if the provider has more than three children
103 who are in school full time, all of the provider's children shall be
104 permitted;

105 (4) "Night care" means the care provided for one or more hours
106 between the hours of 10:00 p.m. and 5:00 a.m.;

107 (5) "Year-round" program means a program open at least fifty
108 weeks per year.

109 (b) For licensing requirement purposes, child care services shall not
110 include such services which are:

111 (1) (A) Administered by a public school system, or (B) administered

112 by a municipal agency or department;

113 (2) Administered by a private school which is in compliance with
114 section 10-188 and is approved by the State Board of Education or is
115 accredited by an accrediting agency recognized by the State Board of
116 Education;

117 (3) Classes in music, dance, drama and art that are no longer than
118 two hours in length; classes that teach a single skill that are no longer
119 than two hours in length; library programs that are no longer than two
120 hours in length; scouting; programs that offer exclusively sports
121 activities; rehearsals; academic tutoring programs; or programs
122 exclusively for children thirteen years of age or older;

123 (4) Informal arrangements among neighbors and formal or informal
124 arrangements among relatives in their own homes, provided the
125 relative is limited to any of the following degrees of kinship by blood
126 or marriage to the child being cared for or to the child's parent: Child,
127 grandchild, sibling, niece, nephew, aunt, uncle or child of one's aunt or
128 uncle;

129 (5) [Drop-in supplementary] Supplementary child care operations
130 for educational or recreational purposes and the child receives such
131 care infrequently where the parents are on the premises;

132 (6) [Drop-in supplementary] Supplementary child care operations in
133 retail establishments where the parents remain in the same store as the
134 child for retail shopping, provided the drop-in supplementary child-
135 care operation does not charge a fee and does not refer to itself as a
136 child care center;

137 (7) [Drop-in programs administered] Administered by a nationally
138 chartered boys' and girls' club that are exclusively for school-age
139 children;

140 (8) Religious educational activities administered by a religious
141 institution exclusively for children whose parents or legal guardians
142 are members of such religious institution;

143 (9) Administered by Solar Youth, Inc., a New Haven-based
144 nonprofit youth development and environmental education
145 organization; [, provided Solar Youth, Inc. informs the parents and
146 legal guardians of any children enrolled in its programs that such
147 programs are not licensed by the Office of Early Childhood to provide
148 child care services;]

149 (10) Programs administered by organizations under contract with
150 the Department of Social Services pursuant to section 17b-851a that
151 promote the reduction of teenage pregnancy through the provision of
152 services to persons who are ten to nineteen years of age, inclusive; or

153 (11) Administered by the Cardinal Shehan Center, a Bridgeport-
154 based nonprofit organization that is exclusively for school-age
155 children. [, provided the Cardinal Shehan Center informs the parents
156 and legal guardians of any children enrolled in its programs that such
157 programs are not licensed by the Office of Early Childhood to provide
158 child care services.]

159 (c) Any entity or organization that provides services or a program
160 described in subsection (b) of this section shall inform the parents and
161 legal guardians of any children receiving such services or enrolled in
162 such programs that such entity or organization is not licensed by the
163 Office of Early Childhood to provide such services or offer such
164 program.

165 [(c)] (d) No registrant or licensee of any child care services as
166 defined in subsection (a) of this section shall be issued an additional
167 registration or license to provide any such services at the same facility.

168 [(d)] (e) When a licensee has vacated premises approved by the
169 office for the provision of child care services and the landlord of such
170 licensee establishes to the satisfaction of the office that such licensee
171 has no legal right or interest to such approved premises, the office may
172 make a determination with respect to an application for a new license
173 for the provision of child care services at such premises.

174 Sec. 5. Subdivision (1) of section 19a-420 of the general statutes is
175 repealed and the following is substituted in lieu thereof (*Effective*
176 *October 1, 2016*):

177 (1) "Youth camp" means any regularly scheduled program or
178 organized group activity advertised as a camp or operated only during
179 school vacations or on weekends by a person, partnership,
180 corporation, association, the state or a municipal agency for
181 recreational or educational purposes and accommodating for profit or
182 under philanthropic or charitable auspices five or more children, who
183 are at least three years of age and under sixteen years of age, who are
184 (A) not bona fide personal guests in the private home of an individual,
185 and (B) living apart from their relatives, parents or legal guardian, for
186 a period of three days or more per week or portions of three or more
187 days per week, provided any such relative, parent or guardian who is
188 an employee of such camp shall not be considered to be in the position
189 of loco parentis to such employee's child for the purposes of this
190 chapter, but does not include (i) classroom-based summer instructional
191 programs operated by any person, provided no activities that may
192 pose a health risk or hazard to participating children are conducted at
193 such programs, (ii) public schools, or private schools in compliance
194 with section 10-188 and approved by the State Board of Education or
195 accredited by an accrediting agency recognized by the State Board of
196 Education, which operate a summer educational program, (iii) licensed
197 [day] child care centers, or (iv) drop-in programs for children who are
198 at least six years of age administered by a nationally chartered boys'
199 and girls' club;

200 Sec. 6. Section 17b-749e of the general statutes is repealed and the
201 following is substituted in lieu thereof (*Effective July 1, 2016*):

202 The Office of Early Childhood shall, [establish and fund five
203 regional accreditation projects, within available appropriations. The
204 office shall select qualified applicants for each region through a request
205 for proposal process. The office shall give priority to child day care
206 facilities where at least twenty per cent of the children live with

207 families earning less than seventy-five per cent of the state median
208 income level] within available appropriations, assist programs
209 providing child care services to achieve accreditation by the National
210 Association for the Education of Young Children. The office shall set
211 priorities for receipt of assistance under this section.

212 Sec. 7. Subsection (d) of section 10-500 of the 2016 supplement to the
213 general statutes is repealed and the following is substituted in lieu
214 thereof (*Effective from passage*):

215 (d) The Office of Early Childhood shall constitute a successor
216 department, in accordance with the provisions of sections 4-38d, 4-38e
217 and 4-39, to (1) the Department of Education with respect to sections 8-
218 210, 10-16n, 10-16p to 10-16r, inclusive, as amended by this act, 10-16u,
219 10-16w, 10-16aa, 17b-749a, 17b-749c and 17b-749g to 17b-749i,
220 inclusive; (2) the Department of Social Services (A) with respect to
221 sections 17b-12, 17b-705a, 17b-730, 17b-733, [to 17b-736, inclusive,] 17b-
222 738, 17b-749, as amended by this act, 17b-749d to 17b-749f, inclusive,
223 17b-749j, 17b-749k, 17b-750 to 17b-751a, inclusive, and 17b-751d, and
224 (B) for the purpose of administering the child care development block
225 grant pursuant to the Child Care and Development Block Grant Act of
226 1990; [and] (3) the Department of Public Health (A) with respect to
227 sections 10a-194c, 12-634, 17a-28, 17a-101 and 19a-80f, (B) for the
228 purpose of regulating child care services pursuant to sections 19a-77,
229 as amended by this act, 19a-79, 19a-80, as amended by this act, 19a-82
230 and 19a-84 to 19a-87e, inclusive, (C) for the purpose of the conduct of
231 regulation of youth camps, pursuant to sections 19a-420 to 19a-434,
232 inclusive, as amended by this act, and (D) for the purpose of
233 administering the Maternal, Infant, and Early Childhood Home
234 Visiting Program authorized under the Patient Protection and
235 Affordable Care Act of 2010, P.L. 111-148; and (4) the Department of
236 Developmental Services with respect to sections 17a-248, 17a-248b to
237 17a-248h, inclusive, 38a-490a and 38a-516a.

238 Sec. 8. Subsections (a) and (b) of section 17a-22gg of the 2016
239 supplement to the general statutes are repealed and the following is

240 substituted in lieu thereof (*Effective from passage*):

241 (a) There is established a Home Visitation Program Consortium that
242 shall advise the Office of Early Childhood, Department of Children
243 and Families, Department of Developmental Services and the
244 Department of Education regarding the implementation of the
245 recommendations for the coordination of home visitation programs
246 within the early childhood system provided to the joint standing
247 committees of the General Assembly having cognizance of matters
248 relating to appropriations, human services, education and children
249 pursuant to section 17a-22dd.

250 (b) The consortium shall consist of the following members:

251 (1) Four representing families who are receiving services or have
252 received services within the last five years from one or more home
253 visitation programs in the state;

254 (2) Not more than [eight] ten representing home visitation programs
255 in the state, at least four of whom shall utilize different home visitation
256 models;

257 (3) Two representing private advocacy organizations that provide
258 services for children and families in the state;

259 (4) One representing the United Way of Connecticut 2-1-1 Infoline
260 program;

261 (5) One representing the birth-to-three program established under
262 section 17a-248b;

263 (6) The director of the Connecticut Head Start State Collaboration
264 Office, or the director's designee;

265 (7) The Commissioner of Early Childhood, or the commissioner's
266 designee;

267 (8) The Commissioner of Children and Families, or the
268 commissioner's designee;

269 (9) The Commissioner of Developmental Services, or the
270 commissioner's designee;

271 (10) The Commissioner of Education, or the commissioner's
272 designee;

273 (11) The Commissioner of Mental Health and Addiction Services, or
274 the commissioner's designee;

275 (12) The Commissioner of Public Health, or the commissioner's
276 designee;

277 (13) The Child Advocate, or the Child Advocate's designee; [and]

278 (14) The executive director of the Commission on Children, or the
279 executive director's designee; and

280 (15) The director of the Maternal, Infant Early Childhood Home
281 Visiting program in the state, or the director's designee.

282 Sec. 9. Subsection (a) of section 10-16r of the 2016 supplement to the
283 general statutes is repealed and the following is substituted in lieu
284 thereof (*Effective from passage*):

285 (a) A town seeking to apply for a grant pursuant to subsection (c) of
286 section 10-16p or section 10-16u shall convene a local school readiness
287 council or shall establish a regional school readiness council pursuant
288 to subsection (c) of this section. Any other town may convene such a
289 council. The chief elected official of the town or, in the case of a
290 regional school district, the chief elected officials of the towns in the
291 school district and the superintendent of schools for the school district
292 shall jointly appoint and convene such council. Each school readiness
293 council shall be composed of: (1) The chief elected official, or the
294 official's designee; (2) the superintendent of schools, or a management
295 level staff person as the superintendent's designee; (3) parents; (4)
296 representatives from local programs such as Head Start, family
297 resource centers, nonprofit and for-profit child care centers, group
298 child care homes, prekindergarten and nursery schools, and family

299 child care home providers; (5) a representative from a health care
300 provider in the community; (6) the local homeless education liaison
301 designated by the local or regional board of education for the school
302 district, pursuant to Subtitle B of Title VII of the McKinney-Vento
303 Homeless Assistance Act, 42 USC 11431 et seq., as amended from time
304 to time; and ~~[(6)]~~ (7) other representatives from the community who
305 provide services to children. The chief elected official shall designate
306 the chairperson of the school readiness council.

307 Sec. 10. (NEW) (*Effective from passage*) The Commissioner of Early
308 Childhood may enter into stipulations, agreements, memoranda of
309 understanding, interim consent orders or consent orders relating to
310 licensing matters under chapters 368a and 368r of the general statutes
311 with:

312 (1) Any person, group of persons, association, organization,
313 corporation, institution or agency, public or private, (A) maintaining (i)
314 a licensed child care center or group child care home, pursuant to
315 section 19a-80 of the general statutes, as amended by this act, or (ii) a
316 licensed family child care home, pursuant to section 19a-87b of the
317 general statutes, or (B) applying for a license for (i) a child care center
318 or group home, pursuant to section 19a-80 of the general statutes, as
319 amended by this act, or (ii) a family child care home, pursuant to
320 section 19a-87b of the general statutes;

321 (2) Any person who (A) establishes, conducts or maintains a
322 licensed youth camp, pursuant to section 19a-421 of the general
323 statutes, or (B) is applying for a license for a youth camp, pursuant to
324 section 19a-421 of the general statutes;

325 (3) Any person acting or seeking to act as an assistant or substitute
326 staff member in a family child care home, pursuant to subsection (b) of
327 section 19a-87b of the general statutes;

328 (4) Any person or entity who is the subject of an investigation or
329 disciplinary action pursuant to section 19a-80f, 19a-84, 19a-87a, 19a-
330 87e, 19a-423 or 19a-429 of the general statutes while holding a license

331 issued by the Office of Early Childhood; or

332 (5) Any party in a contested case in which the office is a party.

333 Sec. 11. Subsection (b) of section 51-164n of the 2016 supplement to
334 the general statutes is repealed and the following is substituted in lieu
335 thereof (*Effective from passage*):

336 (b) Notwithstanding any provision of the general statutes, any
337 person who is alleged to have committed (1) a violation under the
338 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
339 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
340 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,
341 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
342 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
343 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
344 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
345 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
346 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
347 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
348 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
349 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
350 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
351 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
352 14-153 or 14-163b, a first violation as specified in subsection (f) of
353 section 14-164i, section 14-219 as specified in subsection (e) of said
354 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
355 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
356 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)
357 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-
358 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of
359 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,
360 subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or 16a-22,
361 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,
362 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137, [or 17b-734,
363 subsection (b) of section 17b-736, section] 19a-30, 19a-33, 19a-39 or 19a-

364 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,
365 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297,
366 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425,
367 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-324e, 20-
368 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39, 21-43, 21-
369 47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19, section 21a-
370 21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26 or
371 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63
372 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154,
373 subdivision (1) of subsection (a) of section 21a-159, subsection (a) of
374 section 21a-279a, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-
375 29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-
376 39e, 22-49, 22-54, subsection (d) of section 22-84, 22-89, 22-90, 22-98, 22-
377 99, 22-100, 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a,
378 22-326 or 22-342, subsection (b), (e) or (f) of section 22-344, section 22-
379 359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246,
380 subsection (a) of section 22a-250, subsection (e) of section 22a-256h,
381 section 22a-363 or 22a-381d, subsections (c) and (d) of section 22a-381e,
382 section 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or
383 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
384 subsection (a) of section 25-43, section 25-43d, 25-135, 26-16, 26-18, 26-
385 19, 26-21, 26-31, 26-31c, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-55, 26-56,
386 26-58 or 26-59, subdivision (1) of subsection (d) of section 26-61, section
387 26-64, subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91,
388 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-
389 132, 26-138 or 26-141, subdivision (2) of subsection (j) of section 26-
390 142a, subdivision (1) of subsection (b) of section 26-157b, subdivision
391 (1) of section 26-186, section 26-207, 26-215, 26-217 or 26-224a,
392 subdivision (1) of section 26-226, section 26-227, 26-230, 26-232, 26-244,
393 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-
394 6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a, subsection (b), (d), (e) or
395 (g) of section 29-161q, section 29-161y or 29-161z, subdivision (1) of
396 section 29-198, section 29-210, 29-243 or 29-277, subsection (c) of section
397 29-291c, section 29-316, 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-
398 11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-

399 36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52, 31-52a or 31-54,
 400 subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76,
 401 31-76a, 31-89b or 31-134, subsection (i) of section 31-273, section 31-288,
 402 subdivision (1) of section 35-20, section 36a-787, 42-230, 45a-283, 45a-
 403 450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
 404 section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-
 405 133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-302a, 53-303e,
 406 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344, subsection (c) of
 407 section 53-344b, or section 53-450, or (2) a violation under the
 408 provisions of chapter 268, or (3) a violation of any regulation adopted
 409 in accordance with the provisions of section 12-484, 12-487 or 13b-410,
 410 or (4) a violation of any ordinance, regulation or bylaw of any town,
 411 city or borough, except violations of building codes and the health
 412 code, for which the penalty exceeds ninety dollars but does not exceed
 413 two hundred fifty dollars, unless such town, city or borough has
 414 established a payment and hearing procedure for such violation
 415 pursuant to section 7-152c, shall follow the procedures set forth in this
 416 section.

417 Sec. 12. Sections 17b-734 to 17b-736, inclusive, of the general statutes
 418 are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	17b-749(b)
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2016</i>	19a-80(b)(1)
Sec. 4	<i>July 1, 2016</i>	19a-77
Sec. 5	<i>October 1, 2016</i>	19a-420(1)
Sec. 6	<i>July 1, 2016</i>	17b-749e
Sec. 7	<i>from passage</i>	10-500(d)
Sec. 8	<i>from passage</i>	17a-22gg(a) and (b)
Sec. 9	<i>from passage</i>	10-16r(a)
Sec. 10	<i>from passage</i>	New section
Sec. 11	<i>from passage</i>	51-164n(b)
Sec. 12	<i>from passage</i>	Repealer section

Statement of Legislative Commissioners:

In Section 4, former subsection (e) was redesignated as new subsection (c) for clarity and consistency.

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Office of Early Childhood	GF - Cost/Savings	See Below	See Below
Department of Emergency Services and Public Protection	GF - Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

Section 1 could result in a cost associated with allowing the Office of Early Childhood (OEC) to increase the income level from 75% of the state median income (SMI) to 85% SMI for participants in the Care4Kids program. Currently, enrollment in the income group for recipients who earn between 50% SMI and 75% SMI is closed. Based on FY 16 estimates, there is an average of 79 families receiving an average monthly benefit of \$428, resulting in an annual cost of approximately \$406,000. Some portion of this population would continue to receive benefits if OEC decided to increase the maximum income level to 85% SMI. It should be noted that if the income level was increased and enrollment to such income group was re-opened, the agency would experience significant costs. Based on estimated FY 16 estimates, there is an average of 9,300 families receiving an average monthly benefit of \$596, resulting in an annual cost of approximately \$66.5 million.

Section 2 is anticipated to result in a minimal cost to the Department of Emergency Services and Public Protection (DESPP) associated with background checks for certain potential OEC employees. Based on current vacancies, it is anticipated that less than

15 background checks would need to be performed in FY 17 and FY 18.

Section 6 eliminates the five regional accreditation projects and instead requires OEC to set priorities regarding who will receive their assistance with achieving accreditation by the National Association for the Education of Young Children (NAEYC), which could change the distribution of related funding. OEC currently distributes approximately \$286,000 to the five regional accreditation projects.

Section 10 clarifies that OEC can enter into stipulations, agreements, memoranda of understanding, interim consent orders or consent orders related to licensing matters with certain people or entities. This could result in a savings to the extent that it prevents the need for a hearing related to such licensing matters. Based on historical experience, hearings cost approximately \$5,000 each.

The bill makes other technical, clarifying and conforming changes, which have no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to (1) changes in eligibility under the Care4Kids program, (2) the number of background checks performed, (3) the distribution of funds for assistance with NAEYC accreditation, and (4) the number of hearings that otherwise would have occurred.

OLR Bill Analysis**sHB 5306*****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.*****SUMMARY:**

This bill makes numerous changes to the laws affecting early childhood programs.

It raises the Care 4 Kids family eligibility income cap under the Office of Early Childhood (OEC) commissioner's discretionary authority from 75% to 85% of the state-wide median income (SMI). Under current law, the early childhood commissioner has the authority to increase the income eligibility cap from the standard 50% to 75% SMI. Care 4 Kids is a child care subsidy program for low and moderate income families.

By law and unchanged by the bill, the OEC commissioner, (1) upon request of the children and families (DCF) commissioner, may waive the income standards entirely for adoptive families so that children adopted from DCF are eligible for Care 4 Kids and (2) must reduce the income eligibility level to 55% SMI for applicants or recipients who qualify based on their loss of eligibility for temporary family assistance.

The bill also:

1. requires certain applicants for employment at OEC to submit to state and national criminal history records checks (§ 2);
2. permits OEC to waive the requirement of submitting a new license application for a child day care center or group day care home in certain instances (§ 3);

3. extends to all license-exempt programs the requirement that they notify the parents or guardians of participating children that the program is not licensed by OEC (§ 4);
4. allows OEC to set priorities for how it will assist accreditation efforts by child care providers instead of creating five regional accreditation projects to do so (§ 6); and
5. makes several other minor, technical, and conforming changes.

EFFECTIVE DATE: July 1, 2016 for the sections on Care 4 Kids eligibility, organizations exempt from OEC licensing, and OEC assistance for program accreditation; October 1, 2016 for the sections on authority to waive license requirements in some situations and conforming and technical changes, and upon passage for all other sections.

§ 2 — CRIMINAL HISTORY CHECKS

The bill requires an applicant for employment at OEC to (1) state whether he or she has ever been convicted of a crime or whether criminal charges are pending against the applicant and (2) submit to state and national criminal history records checks if applying for positions that require:

1. access to FBI records;
2. regular visits to child care centers, group child care homes, or family child care homes; or
3. regular visits to youth camps, resident camps, or day camps.

In the positions that require regular visits to youth camps, resident camps, or day camps, the state and federal criminal records check is not required for any applicant who submitted to the criminal checks in the year immediately preceding the application.

§ 3 — AUTHORITY TO WAIVE LICENSE REQUIREMENTS IN CERTAIN SITUATIONS

Under current law, the OEC commissioner has the discretion to determine whether the change of operator, ownership, or location of a licensed child care center or a group child care home requires the person or entity holding the license to file a new license application. Instead under the bill, a currently licensed person or entity must, before the change of operator, ownership, or location, request that the commissioner waive the requirement to re-apply. The bill specifies the commissioner may grant or deny the request to waive the requirement.

§ 4 — NOTICE REGARDING LICENSE EXEMPT PROGRAMS

The bill extends to all license-exempt child care programs the requirement that they notify the parents or guardians of participating children that the program is not licensed by OEC. By law, such notification is required of Solar Youth Inc., of New Haven, and Cardinal Shehan Center in Bridgeport, both exempt programs.

The bill extends the notification requirement to the following:

1. programs administered by a public school system or a municipal agency or department;
2. programs administered by a private school which is (a) in compliance with state law regarding private school student attendance reporting and (b) State Board of Education (SBE) approved or accredited by an SBE recognized accrediting agency;
3. (a) classes in music, dance, drama, and art that are no longer than two hours; (b) classes that teach a single skill that are no longer than two hours; (c) library programs that are no longer than two hours; (d) scouting; (e) programs that offer exclusively sports activities; (f) rehearsals; (g) academic tutoring programs; or (h) programs exclusively for children age 13 or older;
4. informal arrangements among neighbors and formal or informal arrangements among relatives in their own homes, provided the relative is limited to any of the following degrees

of kinship by blood or marriage to the child being cared for or to the child's parent: child, grandchild, sibling, niece, nephew, aunt, uncle, or child of one's aunt or uncle;

5. supplementary child care operations for educational or recreational purposes where the child receives the care infrequently and the parents are on the premises;
6. supplementary child care operations in retail businesses where the parents remain in the same store as the child for shopping, provided the drop-in supplementary child-care operation does not charge a fee or refer to itself as a child care center;
7. programs administered by a nationally chartered boys' and girls' club that are exclusively for school-age children;
8. religious educational activities administered by a religious institution exclusively for children whose parents or legal guardians are members of the religious institution; and
9. programs administered by organizations under contract with the Department of Social Services that promote the reduction of teenage pregnancy through services to persons who are age 10 to 19, inclusive.

§ 6 — OEC AND ACCREDITATION OF CHILD CARE PROVIDERS

The bill requires OEC to assist, within available appropriations, child care service programs in achieving accreditation by the National Association of Education of Young Children. It authorizes OEC to set priorities for programs to receive this assistance. The bill eliminates language that required OEC to (1) create and fund five regional accreditation projects and (2) give priority to child day care facilities where at least 20% of the families served were earning less than 75% of SMI.

§ 8 — MEMBERSHIP OF THE HOME VISITATION PROGRAM CONSORTIUM

The bill expands the maximum number of members of the Home

Visitation Program Consortium from 25 to 28. It adds (1) the state maternal, infant early childhood home visiting program director (or designee) and (2) up to two more members who are representatives of home visitation programs in the state.

§ 9 — MEMBERSHIP OF LOCAL SCHOOL READINESS COUNCILS

The bill expands the required members of local school readiness councils to include the local homeless education liaison who the local or regional board of education designates under the federal McKinney-Vento Homeless Assistance Act. Local councils must be formed in order for a school district or group of districts to apply for and receive school readiness funding from the state.

§ 10 — COMMISSIONER'S AUTHORITY TO ENTER INTO LICENSING ENFORCEMENT AGREEMENTS

The bill authorizes the commissioner to enter into enforcement agreements in child care and youth camp services licensing enforcement matters. It authorizes her to enter into stipulations, agreements, memoranda of understanding, interim consent orders, or consent orders with any person, group, or entity who:

1. maintains, or is applying for, a license for a (a) child care center or group child care home or (b) family child care home;
2. establishes, conducts, or maintains a licensed youth camp or is applying for a license;
3. acts or is seeking to act as an assistant or substitute staff member in a family child care home;
4. is the subject of an investigation or disciplinary action pursuant to various child care and youth camp laws while holding an OEC-issued license; or
5. is a party in a contested case in which OEC is also a party.

§§ 11 & 12 — REPEAL OF OBSOLETE CHILD CARE FACILITIES GRANT PROGRAM

The bill repeals (1) an obsolete child care facilities development and construction grant for municipalities and state agencies and (2) related regulatory authority.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 26 Nay 5 (03/14/2016)